

# Exhibit H

**Hofman, Herman D.**

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**From:** Clayman, John <JClayman@fdlaw.com>  
**Sent:** Friday, March 18, 2022 10:33 AM  
**To:** Hofman, Herman D.  
**Cc:** Caywood, Candace; Simms, Amber; Kevin Majewski; Clayman, John  
**Subject:** FW: BOKF/Ortiz v. Nelms (123.001) - Response to Subpoena

Good morning again, Herman (and Kevin):

Thank you for speaking with Amber Simms and me about the corporate bank accounts sought in this matter pursuant to Mr. Ortiz's Subpoena. As we discussed, in the absence of Kevin Majewski, Esq.'s objection as found below, BOKF, NA d/b/a Bank of Texas would have produced the available documents responsive to the Subpoena. The more persuasive legal authority indicates the Texas Right to Financial Privacy Act would not apply to federal court actions. So, please indicate that BOKF, NA d/b/a Bank of Texas does not oppose the Motion other than the need for the legal determination of the corporate customers' objections.

Please let me know if you have any additional questions or comments. Take care.

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**From:** Kevin Majewski <[kmajewski@hspplc.com](mailto:kmajewski@hspplc.com)>  
**Sent:** Monday, February 21, 2022 1:40 PM  
**To:** Clayman, John <JClayman@fdlaw.com>  
**Cc:** Caywood, Candace <[CCaywood@fdlaw.com](mailto:CCaywood@fdlaw.com)>; sdenenfeld@lewisreedallen.com; Eric Parzianello <[eparzianello@hspplc.com](mailto:eparzianello@hspplc.com)>  
**Subject:** RE: BOKF/Ortiz v. Nelms (123.001) - Response to Subpoena

John,

Mr. Nelms will not consent to the release of the records pursuant to the subpoena. Please let me know if you have any questions or concerns. Thanks.

**KEVIN C. MAJEWSKI | ATTORNEY**  
**HUBBARD SNITCHLER & PARZIANELLO PLC**

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**From:** Clayman, John <[JClayman@fdlaw.com](mailto:JClayman@fdlaw.com)>

**Sent:** Wednesday, February 9, 2022 10:45 AM

**To:** Kevin Majewski <[kmajewski@hspplc.com](mailto:kmajewski@hspplc.com)>

**Cc:** Caywood, Candace <[CCaywood@fdlaw.com](mailto:CCaywood@fdlaw.com)>; [sdenenfeld@lewisreedallen.com](mailto:sdenenfeld@lewisreedallen.com); Eric Parzianello <[eparzianello@hspplc.com](mailto:eparzianello@hspplc.com)>; Clayman, John <[JClayman@fdlaw.com](mailto:JClayman@fdlaw.com)>

**Subject:** FW: BOKF/Ortiz v. Nelms (123.001) - Response to Subpoena

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Good morning Kevin:

Hope you're doing well. I'm following up our Friday afternoon phone call about the position of Mr. Nelms on the production of documents pertaining to MGMCM, LP and Q Consolidated, Inc. that had accounts with Bank of Texas. As we discussed, Herman Hofman provided me with case authority that Federal Rules of Procedure would take precedence over the Texas Right to Financial Privacy.

I look forward to hearing from you and appreciate your courtesy in this matter. Take care.

John D. Clayman

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**From:** Clayman, John

**Sent:** Wednesday, February 2, 2022 5:29 PM

**To:** [hdhofman@varnumlaw.com](mailto:hdhofman@varnumlaw.com)

**Cc:** Caywood, Candace <[CCaywood@fdlaw.com](mailto:CCaywood@fdlaw.com)>; Simms, Amber <[asimms@fdlaw.com](mailto:asimms@fdlaw.com)>; [eparzianello@hspplc.com](mailto:eparzianello@hspplc.com); [kmajewski@hspplc.com](mailto:kmajewski@hspplc.com); [sdenenfeld@lewisreedallen.com](mailto:sdenenfeld@lewisreedallen.com); Clayman, John <[JClayman@fdlaw.com](mailto:JClayman@fdlaw.com)>

**Subject:** BOKF/Ortiz v. Nelms (123.001) - Response to Subpoena

Good evening Mr. Hofman:

Please see the attached. Thank you. Best regards.

John D. Clayman

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